

#4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of  
Garrison, et al.



Serial No.  
08/994,363

Filed: December 19, 1997

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:  
: Art Unit: 2876

:  
:  
: Examiner: Phan T. Palmer

For: AN ELECTRONIC BILL PAYMENT SYSTEM WITH ACCOUNT RANGING

SUBMITTAL IN RESPONSE TO EXAMINER REQUEST  
RE: NOTICE TO FILE  
MISSING PARTS OF APPLICATION

**BOX: MISSING PARTS**  
Honorable Assistant  
Commissioner  
for Patents  
Washington, DC 20231

I hereby certify that this paper or fee  
is being deposited with the U.S. Postal  
Service as First Class Mail addressed to  
the Assistant Commissioner for Patents,  
Washington, D.C. 20231

on December 29, 1998

[Signature]  
Signature

Sir:

In response to the Notice of Missing Parts of Application dated October 29, 1998, and with reference to the Notice to File Missing Parts dated March 31, 1998 and responded to on August 26, 1998, the following documents submitted on August 26, 1998, in connection with the above-referenced application are hereby resubmitted:

1. Copy of the Response to the Notice to File Missing Parts of Application filed August 26, 1998 (Note: Document as filed incorrectly referenced Serial No 08/994,363 however all other documents concurrently filed in the package referenced the correct serial number. Also, through telephone conversations of November 7, 1998, between my assistant, Lisa E. Daugherty and Mr. Isaac Clark of the PTO, it is understood that the serial number has been corrected).

2. Copy of Declaration and Power of Attorney (6 identical originals each signed by a respective one of the six inventors)

## 3. Copy of Check Pertaining to:

Statutory Basic filing fee of \$790.00

Late Filing Fee Surcharge of \$130.00

Additional Claims fee of \$82.00

Assignment Fee of \$40.00



4. Copy of Assignment (6 identical originals each signed by a respective one of the six inventors)

5. Copy of Information Disclosure Statement and Associated PTO 1449

6. Copy of the stamped receipt post card for the August 26, 1998 filing.

In view of the foregoing, it is respectfully requested that the Response to the Notice to File Missing Parts of Application filed on August 26, 1998 be entered and that the Notice to File Missing Parts of Application issued October 29, 1998 be withdrawn. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed local telephone number, in order to expedite resolution of any remaining issues and further to expedite examination of the application, if any further comments, questions or suggestions arise in connection with the application.

Respectfully Submitted,  
LALOS & KEEGAN

A handwritten signature in dark ink, appearing to read "Alfred A. Stadnicki".

Alfred A. Stadnicki  
Registration No. 30,226

AAS/led  
1146 Nineteenth Street, N.W.  
Fifth Floor  
Washington, D.C. 20036-3703  
Telephone: 202-887-5555  
Fax: 202-296-1682  
Date: December 29, 1998



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
08/994,363	12/19/97	STADNICKI	A 3350000003



EALOS & KEEGAN  
1146 NINETEENTH STREET N W  
FIFTH FLOOR  
WASHINGTON DC 20036-3703

NOT ASSIGNED

2876

DATE MAILED:

10/29/98

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 1002.

☒ 1. The statutory basic filing fee is:

- ☒ missing.
- ☐ insufficient.

Applicant must submit \$ 790 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☒ 2. Additional claim fees of \$ 82, including any multiple dependent claim fees, are required.

\$ 82 for 1 independent claims over 3.

\$ 0 for 0 dependent claims over 20.

\$ 0 for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unexecuted.
- ☐ does not cover the newly submitted items.
- ☐ does not identify the application to which it applies.
- ☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by

03/22/1999 08/994,363

Application Number and Filing Date is required.

01 FC:109 The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42,

02 FC:101 1.43 or 1.47. 790.00 OP

03 FC:102 A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above

04 FC:581 Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
- ☐ 8. The application does not comply with the Sequence Rules.  
See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."
- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

B. DAVENPORT

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

FORM PTO-1533 (REV. 8-97)

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#4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of  
Garrison, et al.

Serial No.  
08/994,047

Filed: December 19, 1997



APPLICATIONS BRANCH

For: AN ELECTRONIC BILL PAYMENT SYSTEM WITH ACCOUNT RANGING

RESPONSE TO NOTICE TO FILE  
MISSING PARTS OF APPLICATION AND  
PETITION TO RESTART DATE FOR RESPONSE

BOX PATENT APPLICATION  
Honorable Assistant Commissioner  
for Patents  
Washington, DC 20231

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service as First Class Mail addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231
on August 26, 1998
<i>[Signature]</i>
Signature

Sir:

In response to the Notice of Missing Parts of Application dated March 31, 1998, submitted are the following in connection with the above-referenced application:

1. Declaration and Power of Attorney (6 identical originals each signed by a respective one of the six inventors)
2. Statutory Basic filing fee of \$790.00
3. Late Filing Fee Surcharge of \$130.00
4. Additional Claims fee of \$82.00
5. Assignment (6 identical originals each signed by a respective one of the six inventors) and fee of \$40.00
6. Information Disclosure Statement and Associated PTO 1449
7. Conditionally, if the time for response to the notice has not been restarted based upon prior discussions with the Customer Service Center, a Petition to Restart the Time for Response to the Notice to File Missing Parts (set forth below) and fee of \$130.00

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8. Conditionally, if the Petition to Restart the Time for Response is required but not granted, a Petition for Extension of Time (set forth below) and fee of \$950.00

Submitted herewith is a copy of the "Office Copy" of the subject Notice To File Missing Parts of Application which was received from the U.S. Patent and Trademark Office by fax (from 703-308-2840) on August 21, 1998 (as evidenced by the date and time record at the top of the copy) responsive to a status inquiry made to the Customer Service Center. This was the initial receipt date of the Notice, the Notice having not been previously received through the U.S. Postal Service or in any other manner by the undersigned.

We have been informed in a telecom between my assistant Ms. Lisa Daugherty and Ms. Nina Bailey of the Customer Service Center, that the subject Notice was returned to the Patent Office by the U.S. Postal Service and was not subsequently re-forwarded to the undersigned's attention. It is our understanding, based upon the aforementioned telecom, that the time for response to the subject Notice will therefore be restarted. Ms. Bailey's assistance in this regard is noticed with appreciation. However, should this not be the case, the following petition to restart the time for response to the subject Notice is hereby submitted.

CONDITIONAL PETITION TO RESTART THE TIME FOR RESPONSE

The subject application was one of a series of three related applications filed by hand on December 19, 1998. The Notices To File Missing Parts of Application for these other applications, i.e. U.S. Serial Nos. 08/994,046 (Attorney Docket No. 33500-002) and 08/994,046 (Attorney Docket No. 33500-001) were also received for the first time from the U.S. Patent and Trademark Office by fax (from 703-308-2840) on August 21, 1998 (as evidenced by the date and time record at the top of the courtesy copies of these Notices which are also enclosed herewith) responsive to the above mentioned status inquiry made to the Customer Service Center. These Notices were likewise never previously received through the U.S. Postal Service or in any other manner by the undersigned.

Each of the recently received fax Notices indicates the correct office address for the undersigned through July 24, 1998, except that the zip-code is incorrectly indicated as the result an

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inadvertent error ( ) the zip-code indicat( ) in the filed application documents. Since July 23, the undersigned has been a member of the firm of LALOS & KEEGAN, 1146 Ninth Street, N.W., Fifth Floor, Washington, D.C. 20036-3703.

To the best of the undersigned's knowledge and belief, the following standard procedure was followed at the undersigned's office to which the subject Notice was addressed. All mail received from the Patent Office was promptly forwarded to my secretary for docketing in the calendar docket (docketed by calendar date) and in the client dockets (docketed by client matter number). Upon completion of docketing, the correspondence was immediately combined with the applicable application file. No receipt of or response to the subject Notice had been docketed in the calendar and client dockets prior to the fax receipt of the subject Notice on August 21, 1998. Further, no original or copy of the subject Notice is filed within the relevant attorney patent application file. Moreover, during his period of residence, the undersigned routinely received all correspondence mailed by the Patent Office to the street address appearing on the subject Notice.

It is further noted that the subject Notice indicates on its face that the Notice was returned to the Patent Office by the U.S. Postal Service. As discussed above, this has been confirmed by Ms. Bailey.

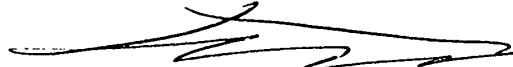
Based upon the above, the restarting of the response time for the subject Notice is hereby petitioned. In this regard, it is respectfully submitted that the undersigned has not responded to subject Notice in the originally prescribed two month period (i.e. on or before May 31, 1998) due the failure to receive the Notice in a timely manner via the U.S. Postal Service. It is further respectfully submitted that this failure to receive the Notice in a timely manner is the result of events and/or circumstances which were beyond the undersigned's reasonable control. Accordingly, it is respectfully requested that this Petition to restart the response time for the subject Notice be granted, that the response time for the subject Notice be restarted as of the fax receipt date of August 21, 1998, and that no extension fees be required in connection with this filing.

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A check is enclosed in the amount of \$1042.00 to cover the fees (excluding the Petition for Reinstating the Time for Responses and the Petition for Extension of Time F) indicated above. To the extent necessary, Applicant's petition for an extension of time under 37 C.F.R. 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 12-0429 and please credit any excess fees to such deposit account.

It is requested that the official filing receipt now be issued.

Respectfully submitted,  
LALOS & KEEGAN



Alfred A. Stadnicki  
Registration No. 30,226

1146 Nineteenth Street, N.W.  
Fifth Floor  
Washington, D.C. 20036-3703  
Telephone: 202-887-5555  
Fax: 202-296-1682  
AAS:led  
enclosure  
Date: August 26, 1998

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RE: SN 08/994363  
- SEND NEW NOTICE  
- SET NEW DATE



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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08/994,363 12/19/97 STADNICKI

**NEW ADDRESS NEEDED**

0362/0331

JENKENS & GILCHRIST  
1919 PENNSYLVANIA AVENUE NW  
SUITE 600  
WASHINGTON DC 20231



NOT ASSIGNED

2514

DATE MAILED:

03/31/98

RECEIVED

APR 15 1998

GROUP 2500

### NOTICE TO FILE MISSING PARTS OF APPLICATION Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of \$365.00 for a small entity in compliance with 37 CFR 1.27, or \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a  
☐ small entity (statement filed) ☒ non-small entity is \$ 1002.00.

☒ 1. The statutory basic filing fee is:

- ☐ missing.
- ☐ insufficient.

Applicant must submit \$ 790.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☒ 2. Additional claim fees of \$ 82.00, including any multiple dependent claim fees, are required.

\$ 82.00 for 1 independent claims over 3.

\$ \_\_\_\_\_ for \_\_\_\_\_ dependent claims over 20.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☐ 3. The oath or declaration:

- ☐ is missing or unexecuted.
- ☐ does not cover the newly submitted items.
- ☐ does not identify the application to which it applies.
- ☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

*C. Jackson*

A copy of this notice **MUST** be returned with the reply.

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

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LALOS AND KEEGAN  
1146 NINETEENTH STREET, NW PH. 202-887-5555  
WASHINGTON, DC 20036-3703



RIGGS

Riggs Bank N.A.  
2001 and L Office  
Washington, DC 20056-1090

20286

15-3 00023  
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**1042 DOLLS 00 CTS**

DATE August 26, 1998

PAY

DOLLARS \$ 1,042.00

TO  
THE  
ORDER  
OF

Commissioner of Patents and Trademarks

*John H. Lee*

⑈00020286⑈ ⑆054000030⑆

01051725⑈

LALOS AND KEEGAN

DETACH AND RETAIN THIS STATEMENT  
THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW.  
IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

DELUXE - FORM WVCP-3 V-6



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